IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 29TH AUGUST 2006 / 7TH BHADRA 1928

Bail Appl..No. 5225 of 2006

CRIME NO. 915/2006 OF KOTTARAKKARA POLICE STATION

PETITIONERS

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1. SANTHOSHJI, S/O.KUNJU PILLAI,
   THENGUVILA RAJADHANI, UMMANOOR MURI,
   VALAKOM, KOTTARAKARA.

2. SANTHAKUMARI, D/O.KUNJU PILLAI,
   DO. DO.

3. PRABHA, S/O.KUNJU PILLAI,
   DO. DO.

BY ADV. SRI.VARINJAM N.RAMACHANDRAN NAIR

RESPONDENTS:

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1. THE SUB INSPECTOR OF POLICE,
   KOTTARAKKARA, REP. BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

2. THE DY. SUPDT. OF POLICE,
   THIRUVALLA.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5225/2006

DATED THIS THE 29TH DAY OF AUGUST, 2006

O R D E R

The petitioners are accused 1 to 3, in crime No.915/2006 of Kottarakkara police station, for the offence punishable under Sections 498A and 420 IPC read with Section 34 IPC. The first petitioner is the husband and the petitioners 2 and 3 are the sister-in-law and brother-in-law of the defacto complainant.

2. It is alleged that the first petitioner gave his bio-data to a marriage bureau, inflating his educational qualifications, which he was not actually possessing. The defacto complainant, who is possessing M.Com and M.C.A noted the qualification and opted to have the marriage with the first petitioner. However, after marriage she found that he was not as qualified as he claimed to be. Difference of opinion arose and they fell apart. There was complaint against the petitioner. The first petitioner also alleged that he had been assaulted in the house of the defacto complainant, by her parents.

3. I had gone through the materials on record as well as the submissions made by either side. I am not inclined to discuss the matter on merit. However, in the facts situation of the case, I direct the petitioners to surrender before the Investigating Officer in crime No.915/2006 of Kottarakkara Police Station, on 11.9.2006 between 10.30 a.m and 11.00 a.m.

4. The Investigating Officer shall interrogate the petitioners and thereafter, produce them before the Court below, as per the law. The learned Magistrate shall consider the bail applications that may be filed by the petitioners as well as the application for custodial interrogation, if any, filed by the Investigating Officer, and shall pass appropriate orders on merit, as per the law, as far as possible on the same day of production itself.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs